

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

EDWARD W. GRUBB, III,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a
Delaware corporation,

Defendant.

No. 1:19-cv-00050-SPW-TJC

**HIPAA-COMPLIANT
PROTECTIVE ORDER**

Before the Court is Defendant's Motion for a HIPAA-Compliant Protective Order Regarding Medical Records Obtained by Subpoena. Having considered the motion and the applicable law, and Plaintiff not opposing, the Court finds that good cause exists to issue a protective order providing the protections in 45 C.F.R. § 164.512(e)(v) for any medical records obtained in this case by subpoena. Accordingly, it is ORDERED that with respect to any medical records obtained by way of a subpoena issued in this lawsuit:

1. The parties are prohibited from using or disclosing any protected health information contained in such records for any purpose other than this litigation; and
2. At the end of this litigation, the parties are required to either destroy or to return to the source from which the medical records were obtained any protected health information contained in such records.

The term “medical records” refers to records of a “covered entity” that contain “health information” as defined in the regulations issued pursuant to the Health Insurance Portability and Accountability Act, including 45 C.F.R. § 160.103.

This Order does not constitute a ruling that any particular medical records are discoverable or admissible but is entered to provide a HIPAA-compliant protective order applicable to any records that are obtained through a subpoena in this litigation.

DATED this 29th day of June, 2021.



TIMOTHY J. CAVAN
United States Magistrate Judge